



Appendix G

Compliance Agreements (CAs)

Contents

PPQ Form 519, Compliance Agreement (CA)	G-1
CA - Loggers/Log, Pulpwood, and Wood Chip Shippers	G-3
CA - Receiving Mills	G-5
CA - Nurseries/Christmas Tree Plantations	G-7
CA - Qualified Certified Applicators (QCAs)	G-9
CA - Shippers	G-11

PPQ Form 519, Compliance Agreement (CA)

Each Compliance Agreement (CA) will be documented on PPQ Form 519 - Compliance Agreement. An example of PPQ Form 519 is on the following page.

The agreement section on PPQ Form 519 may reference attached information. The attached information may be adapted to meet local conditions.

Following the PPQ Form 519 on the following page is material which will produce (with modification) individual CAs for specific commercial establishments:

TABLE G-1: Compliance Agreements

Commercial Establishment	Page
Loggers/Log Shippers	page G-1
Receiving Mills	page G-5
Nursery/Christmas Tree Farms	page G-7
QCAs	page G-9
Shippers	page G-11

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE COMPLIANCE AGREEMENT		FORM APPROVED OMB NUMBER 0579-0054 <small>Public reporting burden for this collection of information is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the form. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing the burden, to USDA, OIRM, Clearance Officer, Room 404-W, Washington, DC 20250. When replying refer to the OMB number and Form Number in your letter.</small>
1. NAME AND MAILING ADDRESS OF PERSON OR FIRM 	2. LOCATION 	
3. REGULATED ARTICLE(S) 		
4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS 		
5. I/We agree to the following: 		
6. SIGNATURE 	7. TITLE 	8. DATE SIGNED
<small>The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.</small>		9. AGREEMENT NO.
		10. DATE OF AGREEMENT
11. PPQ OFFICIAL (Name and Title) 		12. ADDRESS
13. SIGNATURE 		
14. STATE AGENCY OFFICIAL (Name and Title) 		15. ADDRESS
16. SIGNATURE 		
<small>PPQ FORM 519 AUG 77</small>		

FIGURE G-1: Sample of PPQ Form 519 - Compliance Agreement

CA - Loggers/Log, Pulpwood, and Wood Chip Shippers

Item #1: Name of Establishment

Item #2: Location of Establishment

Item #3: (Logs, Pulpwood, and/or Wood Chips) moving from a generally infested area to locations outside of the generally infested area.

Item #4: Gypsy Moth Quarantine, 7CFR 301.45

Item #6:

- A. The establishment identified above hereby enters into a Compliance Agreement with the U. S. Department of Agriculture under the provisions of the gypsy moth quarantine. The establishment has chosen to exercise the option of self-inspection of the Regulated Article(s) listed above. The Regulated Article(s) will only move from the establishment, located inside the generally infested area, to receiving mills, located outside of the generally infested area, if the receiving mills are under Compliance Agreement.
- B. After receiving training, employees of the establishment will be authorized to inspect and to complete inspection documents. The employee(s) of the establishment to be trained and certified will be (the following:)

(Add names of the employees to the CA.)

- C. In accordance with instructions in the Regulatory Section of the Gypsy Moth Program Manual, a trained employee of the establishment will (1) inspect the regulated article(s) no more than 5 days prior to the date of movement, (2) treat and/or remove all life stages of the gypsy moth, so that no viable individuals remain, and (3) complete and distribute copies of the inspection document. The trained employee of the establishment will distribute the copies of the inspection document as follows:
 - i. The original of the inspection document will be attached to the waybill or other shipping document accompanying the shipment. The carrier will surrender the original inspection document to the consignee at destination.
 - ii. One copy of the inspection document will be retained by the establishment.

- iii. Another copy of the inspection document will be forwarded to the Plant Protection and Quarantine Office specified in Item #13.
- D. During the five months of April through August, the establishment will safeguard Regulated Article(s) after certification from infestation or reinfestation. Safeguards will be (1) storage before shipment and (2) covering (of pulpwood and wood chips) during transit through generally infested areas. Regulated Articles exposed during transit will be treated as infested articles.
- E. PPQ will provide the establishment with (1) appropriate sections of the Gypsy Moth Program Manual, (2) training, and (3) updated information. Among other information, the updated information will include (1) quarantine reports, (2) a listing of generally infested areas, and (3) current maps of the generally infested area when available.
- F. (Log, pulpwood, and/or wood chip) staging or holding areas must be (set suitable distance) away from standing trees.
- G. During the five months of April through August, the establishment will safeguard Regulated Articles when the Regulated Articles originate in a non-infested area and are transhipped through the generally infested area. The Regulated Articles will be moved under cover and stored indoors or under cover, so that infestation will not occur. Regulated Articles exposed during transit will be treated as infested articles.
- H. PPQ and State Department of Agriculture inspectors retain the right to (1) make spot checks of shipments, (2) monitor inspection procedures and (3) examine records of shipments to locations outside of the generally infested area.
- I. If the establishment fails to comply with provisions of this agreement and/or the gypsy moth regulations, this Compliance Agreement will be canceled. When a cancellation occurs, each shipment will require individual inspection by a PPQ or State inspector; in addition, cancellation could result in the assessment of civil penalties.
- J. The U. S. Department of Agriculture will furnish the service of the PPQ inspectors without cost. Other than the service of the PPQ inspector, the U. S. Department of Agriculture will not be responsible for any costs or charges incident to inspections or compliance with the quarantine.

CA - Receiving Mills

Item #1: Name of Receiving Mill

Item #2: Location of Receiving Mill

Item #3: (Logs, Pulpwood, and/or Wood Chips) moving from a generally infested area to a mill located in a non-infested area.

Item #4: Gypsy Moth Quarantine, 7CFR 301.45

Item #6:

- A. The receiving mill, specified in Item #1, will accept shipments of (logs, pulpwood, or wood chips) from a generally infested area only when the shipments are accompanied by a (1) USDA Certificate (?), (2) USDA Limited Permit, or (3) signed Accurate Statement, which will state that the product(s) have been inspected and/or treated and are free of all life stages of gypsy moth.
- B. Only the receiving mill, located as specified in Item #2, will receive and process shipments of Regulated Articles from generally infested areas.
- C. During the months of April through August, the receiving mill on the site specified in Item #2 will destroy, process, or treat (specify method) within 5 days all bark which come from generally infested areas. During the remainder of the year, the receiving mill will destroy, process or treat the bark on a timely basis. (A map of generally infested areas is attached.)
- D. PPQ and State inspectors will have unlimited access to holding areas for the Regulated Article(s) and to the environs of the receiving mill in order to (1) conduct gypsy moth detection surveys, (2) inspect shipments, and (3) monitor compliance.
- E. The receiving mill, specified in Item #1, will be responsible for eradicating any gypsy moth infestation on the premises or in the environs of the receiving mill that result from receiving infested (logs, pulpwood, or wood chips).
- F. The U. S. Department of Agriculture will furnish the service of the PPQ inspectors without cost. Other than the service of the PPQ inspectors, the U. S. Department of Agriculture will not be responsible for any costs or charges incident to inspections or compliance with the quarantine.
- G. PPQ and the State Department of Agriculture retain the right to check compliance, at their discretion, by conducting inspections and by examining records. Examining records

will involve the examination of (1) receiving records, (2) shipping documents, and (3) inspection documents on regulated articles received from generally infested areas.

- H. Failure to comply with the gypsy moth regulations and/or the provisions of this Compliance Agreement may result in cancellation of this Compliance Agreement and/or assessment of civil penalties.

CA - Nurseries/Christmas Tree Plantations

Item #1: Name of Establishment

Item #2: Location of Establishment

Item #3: Trees without roots (e.g., Christmas trees), trees with roots, and shrubs with roots and persistent woody stems, unless they are greenhouse grown through the year.

Item #4: Gypsy Moth Quarantine, 7CFR 301.45

Item #6:

- A. The establishment, specified in Item #1, will only ship Regulated Articles out of the generally infested area when the Regulated Articles are determined to be free of all viable gypsy moth life stages.
- B. As specified in the Gypsy Moth Program Manual, determination of freedom from all viable gypsy moth life stages will be based upon (1) annual visual survey and treatment, if necessary, of the premises and environs of the establishment and/or (2) treatment of the Regulated Articles.
- C. If hazardous conditions exist, an Emergency Action Notification (PPQ Form 523) will be issued indicating the required treatment. The establishment is responsible for applying the required treatment. After successful application of the treatment, the Emergency Action Notification will be rescinded and Regulated Articles may be certified and shipped out of the generally infested area.
- D. The U. S. Department of Agriculture will furnish the service of the PPQ inspectors without cost. Other than the service of PPQ inspectors, the U. S. Department of Agriculture will not be responsible for any costs or charges incident to inspections or compliance with the quarantine.
- E. To allow movement of Regulated Articles that are free of all gypsy moth life stages from the generally infested area, the establishment may use the following: (1) certificates for attachment to shipping documents, (2) pre-printed shipping labels, and/or (3) rubber stamps. All certificates, preprinted shipping labels, or certificate stamps that PPQ approves and provides will remain government property. The establishment is accountable for them and must safeguard them against loss and improper use.

- F. To obtain an order of printed shipping labels, the establishment will send a written request for each order to the PPQ official specified in Item #12. Each written request will include (1) the number of shipping labels that will bear the certificate number and (2) the name and address of the printer.

The establishment will direct the printer to (1) notify the PPQ official when each order has been completed, and (2) print each certificate number in a conspicuous place on the shipping tags.

- G. If receiving Regulated Articles from other establishments within the generally infested areas, the establishment will (1) only accept Regulated Articles accompanied by a valid PPQ certificate or (2) immediately arrange to have Regulated Articles inspected by either a PPQ or State inspector. If receiving Regulated Articles from establishments outside the generally infested area for shipment outside the generally infested area, the establishment will only accept Regulated Articles with documents showing the point of origin.
- H. Before the establishment changes any procedures or practices, the establishment must contact the PPQ official specified in Item #12. The PPQ official in Item #12 (and the State inspector) will answer questions on 7 CFR 301.45, this Compliance Agreement, procedures and practices, and previous instructions.
- I. The establishment will notify the PPQ official specified in Item #12 of any personnel changes which may effect the handling of the Regulated Articles.
- J. PPQ and State Department of Agriculture inspectors retain the right to (1) make spot checks of shipments, (2) monitor inspection procedures and (3) examine records of shipments to locations outside of the generally infested area.
- K. Failure to comply with the gypsy moth regulations and/or the provisions of this Compliance Agreement may result in cancellation of this Compliance Agreement and/or assessment of civil penalties.
- L. The U. S. Department of Agriculture will furnish the advisory service of the PPQ inspectors without cost. Other than the service of the PPQ inspectors, the U. S. Department of Agriculture will not be responsible for any costs or charges incident to inspections or compliance with the quarantine.

Attachments: 7CFR 301.45, map, Gypsy Moth Program Manual

CA - Qualified Certified Applicators (QCAs)

Item #1: Name Of QCA and Establishment

Item #2: Location of Establishment

Item #3: Outdoor household articles (OHAs) and mobile homes

Item #4: Gypsy Moth Quarantine, 7CFR 301.45

Item #6:

- A. To ensure that outdoor household articles (OHAs) and mobile homes are free of all viable gypsy moth life stages, PPQ will permit the Qualified Certified Applicator (QCA) identified in Item #1 to inspect, treat (if necessary), and certify OHAs and mobile homes. The QCA will inspect and treat the OHAs and mobile homes according to procedures in the Regulatory Section of the Gypsy Moth Program Manual.
- B. The QCA will only inspect, treat, and certify OHAs and mobile homes moves moving out of the generally infested area.
- C. The QCA will complete a Compliance Agreement with a PPQ official for each State in which the QCA operates.
- D. The QCA will contact the PPQ official, specified in Item #12, if difficulties are encountered. The QCA will follow the instruction of the PPQ official or a State inspector.
- E. Regardless of the existing Gypsy Moth population level, the QCA will thoroughly inspect all OHAs and mobile homes following the procedures in the Gypsy Moth Program Manual.
- F. At the end of each week, the QCA will mail copies of documents for all inspections performed during the week to the PPQ official specified in Item #12.
- G. If the State-issued pesticide license of the QCA expires or becomes invalid for any reason, the QCA must immediately contact the PPQ official specified in Item #12. Each State will require separate QCA certification.
- H. As required by the PPQ official specified in Item #12, the QCA will periodically complete refresher training. The PPQ official, identified in Item #12, will supply precise information on the refresher training.
- I. During the months of April through August, the QCA will inspect on moving day, if possible. If inspection on the moving day is not possible during this period, the QCA will complete the inspection no more than 5 days prior to movement of the

OHA's; in addition, the QCA will safeguard or have the owner safeguard the inspected and certified OHA's from infestation or reinfestation.

- J. Failure to comply with the gypsy moth regulations and/or the provisions of this Compliance Agreement may result in cancellation of this Compliance Agreement and/or assessment of civil penalties.

CA - Shippers

Item #1: Name of Establishment

Item #2: Location of Establishment

Item #3: See Regulatory Section Of Gypsy Moth Program Manual

Item #4: Gypsy Moth Quarantine, 7CFR 301.45

Item #6:

- A. The establishment identified above hereby enters into a Compliance Agreement with the U. S. Department of Agriculture under the provisions of the gypsy moth quarantine. The establishment will only move items regulated under the Gypsy Moth Quarantine according to the Gypsy Moth Quarantine.
- B. After receiving training, the employees of the establishment will know what documents are necessary for the shipment of the various regulated items; in addition, the employees will be able to initiate inspections for shipments. The employee(s) of the establishment to be trained and certified will be (the following:)

(Add names of the employees to the CA.)

- C. Employees of the establishment will see that the original of the inspection document will be attached to the waybill or other shipping document accompanying the shipment. The carrier will surrender the original inspection document to the consignee at destination. (One copy of the inspection document will be retained by the establishment; another copy of the inspection document will be forwarded to a Plant Protection and Quarantine Office.)
- D. During the five months of April through August, the establishment will safeguard Regulated Article(s) after certification from infestation or reinfestation. Safeguards will be (1) storage before shipment and (2) covering during transit through generally infested areas. Regulated Articles exposed during transit will be treated as infested articles.
- E. PPQ will provide the establishment with (1) appropriate sections of the Gypsy Moth Program Manual, (2) training, and (3) updated information. Among other information, the updated information will include (1) quarantine reports, (2) a listing of generally infested areas, and (3) current maps of the generally infested area when available.

- F.** If the establishment fails to comply with provisions of this agreement and/or the gypsy moth regulations, this Compliance Agreement will be canceled.
- G.** . The U. S. Department of Agriculture will furnish the service of the PPQ inspectors without cost. Other than the service of the PPQ inspector, the U. S. Department of Agriculture will not be responsible for any costs or charges incident to inspections or compliance with the quarantine.